



St Paul's Catholic Primary School

Complaints Policy and Procedure

Mission:

Our pupils and all members of our school community encompass, celebrate and live our values by:
Journeying together, The St Paul's Way.

Our Vision

An exceptional community where acceptance, compassion and diversity is valued. We will encourage and inspire our children to serve God for the good of all, to excel in their learning and be resilient and caring. Our community will recognise, celebrate and protect God's gift of the world through the provision of a creative, relevant and ambitious curriculum which enables our children to be confident and prepared for modern life.

Our Values:

Respect, Friendship, Perseverance, Honesty, Caring, Thankfulness and Confidence which are rooted in the Gospels of Jesus Christ and we support and encourage those values which form our modern British Society – Democracy, Rule of Law, Individual liberty, mutual respect and tolerance (value) of those of different faiths and beliefs.

Signed (chair):	Name:	Date:
Signed (Head):	Name:	Date:
Ratified by: Governing Body on: 4 th April 2022		Next Review: Spring 2024

Equality Impact Assessment (EIA)

Part 1: EIA Screening

Policies, Procedures or Practices		Date	October 2023
EIA CARRIED OUT BY:	Claire Rogers	EIA APPROVED BY:	Maxine Sewell

Groups that may be affected:

Are there any concerns that the policy could have a different impact on any of the following groups? (please tick the relevant boxes)	Existing or potential adverse impact	Existing or potential for positive impact
Age (young people, the elderly: issues surrounding protection and welfare, recruitment, training, pay, promotion)		YES
Disability (physical and mental disability, learning difficulties; issues surrounding access to buildings, curriculum and communication).		YES
Gender Reassignment (transsexual)		YES
Marriage and civil partnership		YES
Pregnancy and maternity		YES
Racial Groups (consider: language, culture, ethnicity including gypsy/traveller groups and asylum seekers)		YES
Religion or belief (practices of worship, religious or cultural observance, including non-belief)		YES
Gender (male, female)		YES
Sexual orientation (gay, lesbian, bisexual; actual or perceived)		YES

Any adverse impacts are explored in a Full Impact Assessment.

St Paul's Catholic Primary School



Complaints Policy and Procedure

In accordance with Section 29(1) of the Education Act 2002, all maintained Schools and maintained nursery schools must have and publish procedures to deal with all complaints relating to their school and to any community facilities or services that the school provides and for which there are no separate (statutory) procedures.

St Paul's Catholic Primary School aims to work in partnership with parents in the best interests of the children **and** in order to provide an education that realises the full potential and talents of each individual in accordance with **the** Gospel values and the teaching of our faith, thereby...

"Raising God's children to distinction"

In order to achieve this aim any complaint will be given careful consideration and will be dealt with fairly and honestly. We will provide sufficient opportunity for any complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding.

St Paul's Catholic Primary School is committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is, or perceived to be abusive, offensive or threatening.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to St Paul's Catholic Primary School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'.

St Paul's School will take informal concerns seriously and make every effort to resolve the matter as quickly as possible.

A complaint may be defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. **St Paul's Catholic Primary School** takes concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, **the Head Teacher** will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, **the Head Teacher** will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, **the Head Teacher** will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised firstly with the class teacher (if about a child) or headteacher (if about anything else), or if the concern is about the Head Teacher then this should be raised with the Chair of Governors. If the issue remains unresolved, the next step is to make a formal Stage 1 complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

If any Governor is contacted directly by a parent regarding a concern or complaint then that Governor will refer the parent to this complaints policy. Individual Governors cannot and must not act unilaterally by investigating a concern or complaint or making any prior judgement about it. The Governor must refer the parent to the class teacher, the Headteacher or the Chair of Governors as appropriate.

Complaints against school staff, including Supply Teachers (except the headteacher) should be made in the first instance, to the headteacher via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Chair of Governors, via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaints forms – Stage 1 and Stage 2 are included at the end of this procedure (Appendix 1 and 2). If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous Complaints

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. Where a complaint references a series of associated incidents, only those occurring within the last three months will be investigated. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by **St Paul's Catholic Primary School** other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools	Concerns about admissions – see St Paul's Admission Policy on the school website for details of whom to contact
• Statutory assessments of Special Educational Needs	Concerns about Statutory assessments of Special Educational Needs – contact South Gloucestershire Local Authority,
• School re-organisation proposals	School re-organisation proposals should be raised with Diocese of Clifton, Dept. for Schools and Colleges
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our Child Protection and Safeguarding Policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding – Tina Wilson 01454 868924 or the Multi-Agency Safeguarding - South Gloucestershire Children's Safeguarding Board (SGCSB): http://www.proceduresonline.com/swcpp/southglos
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions. Please also see St Paul's Exclusion Policy on the school website <i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.</i>
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise

	matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus. Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.
• Staff conduct	If the complaint refers to staff conduct and investigation shows a need, then the complaint will be halted and the matter considered under the School Discipline Policy. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against St Paul's Catholic Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, St Paul's Catholic Primary School wants to resolve the complaint.

If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology
- It is important to understand that an outcome of the process may find that the complaint is not upheld

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1 Formal Complaint

Formal complaints must be made to the headteacher (unless they are about the headteacher, when they should be addressed to the Chair of Governors), via the school office. This may be done in person, in writing (preferably on the Complaint Stage 1 Form, Appendix 1), or by telephone.

The headteacher/Chair of Governors will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this acknowledgement response, the headteacher/Chair of Governors will seek to clarify the nature of the complaint, ask what remains unresolved and what specific and achievable outcome the complainant would like to see. The headteacher/Chair of Governors can consider whether a face to face meeting is the most appropriate way of doing this. This meeting will occur within 10 working days of the receipt of the complaint.

After this initial acknowledgement correspondence and/or meeting, the Head Teacher (or the Chair of Governors in the case of a complaint against the Head Teacher) will initiate an investigation into the complaint.

During the investigation, the headteacher/Chair of Governors will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation

At the conclusion of their investigation, the headteacher/Chair of Governors will provide a formal written response to the complainant within 10 school days of the conclusion of their investigation

If the headteacher/Chair of Governors is unable to meet this deadline, they will provide the complainant with an explanation why and an updated and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions St Paul's Catholic Primary School will take to resolve the complaint.

The headteacher/Chair of Governors will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body or Clifton Diocese Dept. for Schools and Colleges. At the conclusion of their investigation, the independent investigator will provide a formal written response.

If the complainant agrees that the complaint is resolved at the completion of the First Stage process, both complainant and head teacher/Chair of Governors/Independent Investigator will sign off the initial complaints form to show it is resolved.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – consideration of the complaint by the governing body's complaints panel, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within 5 school days of receipt of the Stage 1 response, preferably using the Stage 2 Formal Complaint Form (Appendix 2).

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. The Clerk will immediately inform the Chair of Governors (Vice Chair in the Chair's absence) a Stage 2 complaint has been received.

The Chair of Governors will, before convening the Complaints Panel, assess whether the complaint falls within the scope of this policy. Advice must be sought from South Gloucestershire Governor Support Services. This decision making may involve a meeting with the complainant.

The Chair of Governors will convene the Complaints Panel within 10 school days of the date the Clerk informs them of the receipt of the Stage 2 Complaint. The Complaints Panel will consist of at least three governors with no prior involvement or knowledge of the complaint. At the start of the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Panel and who will act as the Complaints Investigator. If there are fewer than three governors from St Paul's Catholic Primary School available, the Clerk will source any additional, independent governors through our agreed partnership schools or through the LA's Governor Services team, in order to make up the panel. Alternatively, if the complaint is about the Governing Body, an entirely independent panel may be convened to hear the complaint at Stage 2 (See below).

Initial contact will then be made between the Complaints Panel and the complainant and between the Complaints Panel and school representatives (usually the Head Teacher).

The Clerk will write to the complainant and Head teacher to inform them of the initial contact. They will aim to do this within 15 school days of receipt of the Stage 2 Complaint. If this is not possible, the Clerk will provide an anticipated date and keep the complainant and school informed.

If the complainant or school rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's or school's absence on the basis of written submissions from both parties.

The complainant may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the panel meeting. However, there may be occasions when legal representation is appropriate.

The Head Teacher may also be accompanied if they so wish.

For instance, if a school employee is called as a witness in a complaint investigation or meeting, they may wish to be supported by union and/or legal representation.

Representatives from the media are not permitted to attend.

Note: If during the investigation of the complaint, it should become likely that the complaint is clearly about inappropriate staff conduct, the schools staff Disciplinary Procedure will be invoked and the Complaint process suspended. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

It may be necessary to suspend the complaints procedure in respect of a complaint which indicates a possibility of disciplinary action against a member of staff. The decision to suspend the complaints procedure will be taken when it has been established that there may be a case to answer. In this instance the advice of the Local Authorities Human Resources department will be sought.

The Complainant will be notified that the complaints procedure has been suspended and the likely timescale for its reactivation. The resumption of the complaint process will be notified to the Complainant at the conclusion of any disciplinary proceedings. However the details of any disciplinary proceedings will not be released to the Complainant.

PURPOSE OF THE INITIAL MEETINGS

- For the Panel Investigator to be clear about the nature of the complaint
- To give the Complainant opportunity to explain and discuss their complaint
- For the Complainant to explain to the Panel Investigator how they feel the complaint can be resolved
- For the Panel Investigator to clarify any points as needed with both Complainant and School
- To ensure the school is clear about the nature of the complaint and the resolution put forward by the complainant
- To give the school opportunity to explain their view and actions regarding the complaint
- For the Panel Investigator to explain what happens next and to agree timings of the process as far as possible with the Complainant and the School.

PROCESS FOR THE INITIAL MEETINGS

At least 10 school days before the meeting, the Clerk will:

- confirm and notify the complainant and School of the date, time and venue of the meeting, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material that is relevant to the existing complaint to be

submitted to the panel, via the Clerk at least **7** school days before the meeting

- Any written material will be circulated to all parties by the Clerk at least **5** school days before the date of the meeting. The panel will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- The panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

THE INVESTIGATION PROCESS

The appointed Complaint Investigator will follow the direction of the panel and carry out any interviews and investigation work as necessary in a timely manner, liaising with all parties involved and ensuring all meetings that take place are minuted by the Clerk to the Governors or Independent Note taker as appropriate. The Investigator will conform to the Roles and Responsibilities of the position as defined in Appendix 3.

POSSIBLE OUTCOMES OF THE COMPLAINT PROCESS

After the Initial meetings with the Complainant and the school and the work of the Investigator is complete the Complaints Panel will meet to consider the complaint and all the evidence presented. The Complaints Panel can:

- uphold the complaint in whole or part
- dismiss the complaint in whole or in part

If the complaint is upheld in whole or in part, the panel will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future

The Chair of the Panel will provide the complainant and the Head teacher of St Paul's Catholic Primary School with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days of the date of their final meeting, concluding the investigation and making their decision re the stage 2 Complaint.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by St Paul's Catholic Primary School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or

- the majority of the governing body

Stage 2 will be heard by a panel of independent governors appointed by Clifton Diocese, as detailed above and their response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions St Paul's Catholic Primary School will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the schools published complaints procedure or that they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by St Paul's Catholic Primary School. They will consider whether St Paul's Catholic Primary School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

This Policy was approved by the DGB on the 4th April 2022. It will be reviewed Bi-annually.

Next Review Date: Spring 2024

Signed:

Chair of Governors

Head Teacher

Date:

Stage 1 Formal Complaint Form

Appendix 1

Formal Complaint raised with Head Teacher/ Chair of Governors/Diocese of Clifton

Your name:

Pupil's name (if relevant):

Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give full details of your complaint including:

- What the complaint is
- Whether you have spoken to anybody at the school about it and
- Any actions the school has taken so far.

Please continue on additional pages as required or attach additional documents if you require

Number of additional pages attached =

Are you attaching any paperwork? If so, please give details.

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

Official use only

Date acknowledgement sent:

By who:

Complaint referred to:

Date of referral:

Stage 1 Formal Complaint Form - outcomes

Actions to resolve stage 1 formal complaint	
Please describe any actions school has taken to resolve complaint including dates and details of meetings, agreed school and complainant actions and the outcomes of these.	
Please continue on additional pages as required or attach additional documents if you require	
Number of additional pages attached =	
Outcome of actions Official use only	
Complaint Resolved Signatures: Complainant Head Teacher/Chair of Governors Dates:	
Complaint Not Resolved Signatures: Complainant Head Teacher/Chair of Governors Dates:	
Date Complaint moved to Stage 2 Formal Complaint	

Stage 2 Formal Complaint Form

Appendix 2

Formal Complaint raised with Governors Complaints Panel

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give full details of your complaint including: • What the complaint is • What Actions you have already taken • What the school has done so far to resolve your complaint • Outcomes from Stage 1 Formal Complaints Procedure (if appropriate)
Please continue on additional pages as required or attach additional documents if you require
Number of additional pages attached =

Are you attaching any paperwork? If so, please give details.

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

Official use only

Date acknowledgement sent:

By who:

Complaint referred to:

Date of referral:

Stage 2 Formal Complaint Form - outcomes

Actions to resolve stage 2 formal complaint Official use only

Please describe outcomes from the work of the Complaints Panel

Please continue on additional pages as required or attach additional documents if you require

Number of additional pages attached =

Outcome of Panel Official use only

Decision

Signatures of
Panel Members:

Chair

Investigator

Member

Dates:

Date Complaint moved to appeal to the Secretary of State for Education (If needed)

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality

Panel Investigator

The Complaint Panel Investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the Clerk to the Governing Body as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- liaise with the Complainant, Head Teacher and other witnesses to arrange suitable times and places for any interviews to be held
- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews by arranging for an independent note taker to record minutes of the meeting (the independent note taker could be the clerk to the panel or an independent person uninvolved with the complaint in any way)
- ensure that any papers produced during the investigation are kept securely pending any appeal
- ensure that any record of notes taken are made available to the person being interviewed
- be mindful of the timescales to respond
- Prepare a comprehensive report for the complaints panel that sets out the facts

The Complaints Panel will then determine whether to uphold or dismiss the complaint and

communicate that decision to the complainant, providing the appropriate escalation details.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the panel and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example; stage 1 and stage 2 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the panel's decision
- ensure that the complainant and head teacher is fully updated at each stage of the procedure
- liaise with staff members, headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support - this may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records and file all paperwork in a confidential manner at the end of the complaints process

Panel Chair

The panel's chair, who is nominated in advance of the initial complaint meetings, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- Complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the panel is explained to the complainant
- written material is seen by everyone in attendance at the initial meeting, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR
- if new information relating to the complaint arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the

meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are recognised, where necessary clarified and addressed by the panel
- the panel is open-minded and acts independently
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk and Complaints Investigator as necessary

Complaints Panel Member

Panel members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- they recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting
- parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting:
 - Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.
 - The panel should respect the views of the child/young person and give them equal consideration to those of adults.
 - If the child/young person is the complainant, the panel should ask in advance if any support is needed to help them present their complaint.
 - Where the child/young person's parent is the complainant, the panel should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
 - However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the panel considers is not in the child/young person's best interests.
- The welfare of the child/young person is paramount.

Investigation Procedure

Appendix 4

The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The outcome of such an investigation will have significance not only for the complainant but also for any member of staff against whom a complaint has been made.

We will not normally investigate anonymous complaints. However, the headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Preparing for an Investigation

Where the school receives a formal complaint, it should be acknowledged in writing and a commitment made that the complaint will be investigated and the outcome of the investigation notified to the complainant in due course. If the formal complaint is against a member of staff, the headteacher will normally undertake the initial investigation. In the case of a formal complaint against the Head Teacher, the Chair of Governors will normally undertake the investigation.

It is essential that there is a clear understanding of the complaint. Where necessary the nature of the complaint should be confirmed with the complainant e.g. through an initial meeting. (If an investigator is appointed there may need to be more detailed follow-up.)

Any member of staff against whom a complaint has been made should be notified that a complaint has been received and that the appropriate school procedure will be followed. The member of staff does need to be able to understand the nature of any allegations against them.

Once a complaint has been confirmed the Head Teacher/Chair of Governors needs to determine which procedure is most appropriate, according to the stage of the complaint, and proceed according to this policy.

Conducting the investigation

The investigation must be carried out in accordance with the provisions of the relevant procedure.

Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcome of the investigation be accurately recorded.

The complainant and the school should be given the opportunity to offer documentation and to identify potential witnesses or sources of evidence.

Members of staff involved/named in the complaint should be advised that they may be accompanied by a friend or trade union representative when invited to be interviewed.

Where children are potential witnesses, discretion should be exercised over their involvement. Pupils should only be interviewed when the nature of the complaint is sufficiently serious to warrant it and adult witnesses are not available. Only in extreme circumstances will younger pupils be interviewed.

Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons.

In conducting interviews, the investigator should prepare the questions to be asked prior to the interview. These can always be supplemented during the interview. The investigator should allow the interviewee to answer in their own way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or to seek to "lead" them must be resisted. The interviewee should be given the opportunity of providing other relevant information at the end of the interview.

Interviewees should, however, be advised that their responses must be confined to the substance of the complaint. Any attempt by the interviewee to introduce information relating to other members of staff or to issues unrelated to the complaint should be resisted.

The Panel investigator should avoid reaching conclusions or passing judgement until the investigation has been completed and their report written and fed back to the panel allowing a shared decision to be reached.

Concluding the investigation

The report must contain:

- A brief outline of the process that has been followed
- A statement of the complaint/concern
- A summary of the findings, linked to the relevant evidence and any recommendations for future action
- Annexes containing copies of witness statements and other evidence collected during the investigation

The report of the investigation will usually be confidential to the school as in the Head Teacher/Chair of Governors, as it is likely to contain sensitive personal information. If a request is received to release the report, under either the Data Protection Act or Freedom of Information, the school should seek legal advice from the LA.

A summary of the process undertaken and the outcome of the investigation will be provided to the complainant. Caution must be exercised in reporting back to the complainant as revealing certain details may prejudice the ability of an employee to continue in post.

Following consideration of the report by the relevant body, any final recommendations may also be shared with the parties, including the full Governing Body, unless there is good reason not so to do. Wherever possible, recommendations should be constructive and not punitive.

The complainant should be advised that he/she may, if they are not satisfied that the appropriate procedure has been followed, request a review of that process by the Secretary of State.



What should you do if you have a question, concern, complaint or if you aren't happy about something?

If there is something you don't understand or you are not happy about, please come in and see us. (You may just want to get something off your chest.) You can discuss this with the class teacher or other appropriate member of staff, such as the Special Needs Coordinator (SENCO) if it is about special needs.

The beginning and end of the school day is a very busy time for class teachers, who usually have a class of children to welcome and to see safely out to their parents/carers, so you may need to be flexible when arranging a time to meet. In some cases you may need/want to make an appointment to see the Headteacher.

We know that it can feel uncomfortable to question or challenge, but if you don't tell us what is worrying you we cannot explain what we are doing, or if needed, to try to put it right.

If you feel you need to complain after you've discussed your concern with the Head Teacher there is a process and forms you'll need to use. Please see our Complaints and Procedure Policy (available on our website) for full details.

If you make a Formal Complaint using the complaints process this is what will happen:

- You will receive a response within five school working days, even if this is just a courtesy call to acknowledge receipt of the complaint and to outline what will happen next
- Your Complaint will always be treated thoroughly, fairly and honestly and in confidence and you will always be treated politely and respectfully, by (depending on the stage of your complaint) the Head Teacher or the Chair of governors (Stage 1), Complaints Investigator and Complaints Panel (Stage 2).
- The Complaints Panel will be convened by the Chair of Governors within ten school working days of their receipt of your Stage 2 complaint
- We will deal with all complaints as quickly as possible
- We will keep you up to date with progress at each stage
- You will get an apology if we have made a mistake
- You will be told what we are going to do to put things right
- You will get a full and clear written reply to a formal complaint (Stage 1 and Stage 2) within ten school working days of the complaint being heard by the Chair of Governors or the Governor Complaints Panel
- All Formal complaints will be logged and recorded, as will all informal and formal concerns raised.

FLOWCHART SUMMARY OF PROCESS OF MANAGING
CONCERNS AND COMPLAINTS

Blue = Parent/Carer/Other actions

Green = School/Governing Body Actions

